

1. The Court entered a Pretrial Scheduling Order on March 5, 2021. *See* ECF No. 31.
2. The Court modified the Pretrial Scheduling Order on July 14, 2021 to reset the deadline for filing Plaintiffs' Motion for Class Certification from August 2, 2021 to August 2, 2022, for Defendants' Opposition to the Motion from September 16, 2021 to September 16, 2022, and for Plaintiffs' Reply in Support of the Motion from October 7, 2021 to October 7, 2022. *See* ECF No. 38 at ¶ 3.

3. Plaintiffs filed an Amended Complaint on December 7, 2021, adding Plaintiffs Stehle Harris and David S. Elliot and dismissing former Plaintiff Daniel Silva. *See* ECF No. 46.
4. Plaintiffs filed a motion to remove Rhonda Allen as a Named Plaintiff pursuant to Federal Rule of Civil Procedure 21 on February 9, 2022. *See* ECF No. 49.
5. The Parties have been diligently and collaboratively pursuing discovery. Despite their best efforts, the Parties agree that they will require additional time to complete fact discovery on this matter.
 - a. Both sides have propounded written discovery and responses have either been served or will soon be served.
 - b. Based on the Parties' negotiations regarding custodians and search terms for email discovery, Defendants have produced over 38,000 pages of the most vital case documents and are currently analyzing and/or reviewing an additional 300 potentially privileged documents.
 - c. Upon the filing of Plaintiffs' Amended Complaint, Defendants promptly began collecting from the Plan's service providers responsive documents and information specific to the newly-added Named Plaintiffs, such as call records and Plan account information. Such collections typically take a minimum of eight weeks, however, thus responsive materials will not be available to Defendants until mid-February 2022 at the earliest. Defendants will then need to review and produce the information to Plaintiffs prior to taking Plaintiffs' depositions.

d. The parties are working to schedule depositions of the Named Plaintiffs
(after the production of the data referenced in 3(c) is collected), a 30(b)(6)
deposition, and additional fact depositions of certain Defendants.

6. Despite their best efforts, the Parties agree that they will require additional time to
complete fact discovery on this matter.

7. The Parties met and conferred and agreed upon the following revisions to the current
schedule, *see* ECF No. 41, as follows:

- Deadline to Serve Written Discovery: ~~May 3, 2022~~ *March 7, 2022*
- Deadline to Submit Fact Discovery Disputes to the Court: ~~June 17, 2022~~ *May 16, 2022*
- Advise Court if Expert Disclosure Extension Will Be Sought in Light of *Boley TSD at v. Universal Health Services, Inc., et al.*, No. 21-8014 (3d Cir.): ~~July 14, 2022~~ *next conference*
- Fact Discovery Closes: ~~August 16, 2022~~ *June 30, 2022*
- Expert Reports Exchanged: ~~September 15, 2022~~ *August 1, 2022*
- Responsive Expert Reports Exchanged: ~~October 18, 2022~~ *September 1, 2022*
- Expert Discovery Closes: ~~November 15, 2022~~ *October 7, 2022*
- Class Certification Brief Due: ~~December 19, 2022~~ *November 7, 2022*
- Opposition to Class Certification Due: ~~January 31, 2022~~ *December 19, 2022*
- Reply in Support of Class Certification Due: ~~February 21, 2022~~ *January 9, 2023*

AGREED TO BY: *+1/c May 31, 2022. To join the call, Counsel shall dial 1-888-684-8852 and access code 1456817#.*

CAPOZZI ADLER

/s/ Mark K. Gyandoh
Mark K. Gyandoh
N.J. Bar ID: 025622001
312 Old Lancaster Road
Merion Station, PA 19066
Tel: (610) 890-0200
Fax (717) 233-4103
Email: markg@capozziadler.com
Attorney for Plaintiffs

JACKSON LEWIS P.C.

/s/ Carla D. Macaluso
Carla D. Macaluso
N.J. Bar ID No. 018141996
200 Connell Drive, Suite 2000
Berkeley Heights, NJ 07922
Telephone: (908) 795-5200
Facsimile: (908) 464-2614
Carla.Macaluso@jacksonlewis.com

Howard Shapiro*
Stacey C.S. Cerrone*
Lindsey H. Chopin*

650 Poydras Street, Suite 1900
New Orleans, LA 70130
Telephone: (504) 208-1755
Facsimile: (504) 208-1759
Howard.Shapiro@jacksonlewis.com
Stacey.Cerrone@jacksonlewis.com
Lindsey.Chopin@jacksonlewis.com

Attorneys for Defendants

*Admitted Pro Hac Vice.

SO ORDERED

s/Michael A. Hammer

Michael A. Hammer, U.S.M.J.

Date: 2/10/22